

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt  
Clerk

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Filed: December 07, 2015

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Ms. Lindsay Haynes Sisco  
Office of the Attorney General  
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P.O. Box 20207  
Nashville, TN 37202

Re: Case No. 14-6489, *David Payne v. TN, et al*  
Originating Case No. : 2:14-cv-00047

Dear Sir or Madam,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Linda M. Niesen  
Case Manager  
Direct Dial No. 513-564-7038

cc: Mr. Keith Throckmorton

Enclosure

No. 14-6489

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

|                             |   |                  |
|-----------------------------|---|------------------|
| DAVID R. PAYNE,             | ) |                  |
|                             | ) |                  |
| Plaintiff-Appellant,        | ) |                  |
|                             | ) |                  |
| v.                          | ) | <u>O R D E R</u> |
|                             | ) |                  |
| STATE OF TENNESSEE, et al., | ) |                  |
|                             | ) |                  |
| Defendants-Appellees.       | ) |                  |

Before: BOGGS, SUHRHEINRICH, and SUTTON, Circuit Judges.

David R. Payne, proceeding pro se, has filed a petition for rehearing of a Fed. R. App. P. 34(a)(2)(C) order approved by this court on August 31, 2015.

Upon careful consideration, we conclude that we did not misapprehend or overlook any point of law or fact when issuing our prior order. *See* Fed. R. App. P. 40(a).

Accordingly, we **DENY** the petition for rehearing.

ENTERED BY ORDER OF THE COURT

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Deborah S. Hunt, Clerk